

REMARKS

By this Reply, Applicants have amended the specification to update the priority claim, have canceled claim 1, and have added new claims 38-44. Accordingly, claims 38-44 are pending in this application. No new matter has been added by this Amendment.

In the outstanding Office Action, the specification was objected to for a minor informality; claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,344,439 to Otten and U.S. Patent No. 5,593,433 to Spehr et al.; and claim 1 was rejected under 35 U.S.C. § 101 for statutory double patenting.

Applicants have amended the specification to obviate the specification objection set forth in the outstanding Office Action. In particular, the specification has been amended to list the patent number missing from the priority claim. Accordingly, Applicants request that this objection be withdrawn.

Applicants submit that claim 1 is allowable over Otten and Spehr et al. For example, both Otten and Spher et al. fail to disclose or suggest the means on the guidewire adapted to cooperate with a predetermined portion of the lead body, as recited in the claim. However, in order to expedite prosecution of this application, Applicants have canceled claim 1. Accordingly, the rejections under U.S.C. § 102(b) and 35 U.S.C. § 101 are not moot and should be withdrawn.

Otten and Spher et al. fail to disclose or suggest all of the aspects recited in independent claim 38. For example, Otten and Spher et al. fail to disclose or suggest the aspects of the lead, guidewire, and removal wire recited in the claim, such as a lead contacting portion including a braided mesh material that expands radially under

compressive loads. For at least this reason, independent claim 38 should be allowed, along with claims 39-44 that depend from claim 38.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this paper and charge any additional required fees with the exception of the filing fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 12, 2006

By: 

Roland G. McAndrews
Reg. No. 41,450